GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Servants - Labour, Factories, Boilers & Insurance Medical Services Department - Allegations of corruption against Sri K.Vidya Sagar, Assistant Labour Officer, Yelamanchili, Visakhapatnam District - Trapped by ACB authorities - Convicted by the Court of the Special Judge for ACB Cases, Visakhapatnam - Dismissed from service - Acquitted by the Hon'ble High Court of Andhra Pradesh in Criminal Appeal No.1324/2006 - Set aside the dismissal orders by implementing the orders of Hon'ble High Court dt. 11.12.2020 - Orders - Issued.

LABOUR, FACTORIES, BOILERS AND INSURANCE MEDICAL SERVICES (IMS&VIG) DEPARTMENT

G.O. Ms.No.13 Dt: 14/08/2023

Read the following:-

1. From the DG, ACB., Rc.No. 15/RCT-WVP/99, Dated 24.02.1999.
2. The DCL, Visakhapatnam Proceedings No. A/467/99,Dt. 08.04.1999.
3. From the DG, ACB final report dt: 28.04.2000
4. G.O.Ms.No. 47, L.E.T & F (Lab.IV) Dept, Dated: 13.10.2000.
5. G.O.Rt.No. 483, L.E.T & F (Vig) Dept, dated 20.03.2004.
6. Govt. Memo No.206/VIG/99-26, Dt.10.01.2005.
7. From D.G., A.C.B.,Lr.No.15/RCT-WVP/1999-S11,Dated: 29.9.2006.
8. Judgment of the Special Judge for ACB Cases cum III Addl. District & Sessions Judge,Visakhapatnam dated 25.9.2006 in C.C.No. 115/2000.
9. From D.G., A.C.B., Lr.No. 15/RCT-WVP/1999-S11, Dated: 27.10.2006.
10. From D.G., A.C.B., Lr.No. 15/RCT-WVP/1999-S11, Dated:03.11.2006.
11. G.O.Ms. No. 87, LET&F Department, dt :07-12-2006.
12. Hon'ble High Court of Andhra Pradesh orders dated 11.12.2020 in CA No.1324/2006.
13. From the DG,ACB,Lr.Rc.No.15/RCT-VP/1999,S.11,Dt.12.05.2021.
14. From Sri K.Vidya Sagar, Representation 07.06.2021.

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O R D E R:-

Whereas Sri K.Vidya Sagar, Assistant Labour Officer, Yelamanchili, Visakhapatnam was trapped by ACB authorities for demanded and accepted the bribe of Rs.1,000/-for doing official favour. Based on the preliminary report of Director General, ACB in the reference 1st read above, the Accused Officer was placed under suspension by Deputy Commissioner of Labour, Visakhapatnam in the reference 2nd read above and later, the individual was reinstated in to service in the reference 5th read above.

2. Whereas, on the Final Report of the Director General, Anti Corruption Bureau, in the reference 3rd read above, Government sanctioned prosecution against the individual in a court of Law u/s 7,11,13(2) r/w 13(1) (d) of Prevention of Corruption Act 1988 and also in the reference 6th read above, directed the Commissioner of Labour to initiate the departmental action against the said Accused Officer, for violation of rule 26 and 3(1) and (2) of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

3. Whereas, in the reference 8th read above, the Special Judge for ACB Cases cum III Additional District and Sessions Judge, Visakhapatnam in its orders dt.25.09.2006, convicted the Accused Officer Sri K.Vidya Sagar and sentenced him to undergo Rigorous Imprisonment for two years and to pay a fine of Rs.1000/-, under each count in default, to suffer Simple Imprisonment for three months on the offences punishable under Sections 7 and U/s 13(2) r/w 13(1)(d) of Prevention of Corruption Act 1988. Both the sentences were ordered to run concurrently.

4. Whereas, Government after careful examination of the case, dismissed Sri K.Vidya Sagar, Assistant Labour Officer, Yelamanchili, Visakhapatnam from service vide reference 11th read above, as he is convicted by the Court of the Special Judge for ACB Cases cum III Additional District and Sessions Judge, Visakhapatnam.

5. Whereas, Aggrieved by the said dismissal orders, Sri Vidya Sagar has filed an O.A.No.6202/2007 in Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad with a pray to set aside dismissal orders. Later, O.A.No.6202/2007 was dismissed for default on 28/04/2010 by Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad.

6. Whereas, Sri K.Vidya Sagar has filed criminal appeal No.1324/2006 before the Hon'ble High Court of Andhra Pradesh, challenging the conviction judgement of the trail court in C.C. No.115 of 2000. The Hon'ble High Court of Andhra Pradesh, allowed the Criminal Appeal No. 1324/2006 , and set aside the Conviction and sentence imposed against Sri K.Vidya Sagar for the offence's punishable under Sections 7 and U/s 13(2) r/w 13(1)(d) of Prevention of Corruption Act 1988 in C.C No. 115 of 2000, on the file of the Special Judge for ACB Cases cum III Additional District and Sessions Judge, Visakhapatnam by Judgement dt:25.09.2006, and acquitted the accused officer forth with.

7. Government examined the case in detail, and in pursuance to the orders of Hon'ble High Court of Andhra Pradesh, dt:11.12.2020 in Criminal Appeal No.1324/2006, hereby set aside the dismissal orders against Sri K.Vidya Sagar, Assistant Labour Officer, Yelamanchili, Visakhapatnam District and dropped further action against him.

8. The Commissioner of Labour, Andhra Pradesh, Vijayawada shall take further necessary action in the matter Accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. M. HARI JAWAHARLAL
SECRETARY TO GOVERNMENT

To
Sri K.Vidya Sagar, Assistant Labour Officer through the Commissioner of Labour, Andhra Pradesh, Vijayawada.
The Commissioner of Labour, Andhra Pradesh, Vijayawada.
Copy to:
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Commissioner of Printing, Stationery and Stores Purchases, Vijayawada.
The Secretary, Andhra Pradesh Vigilance Commission, Velagapudi.
The P.S. to Minister (LFB&IMS).
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER